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BUSINESS DIVISION

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ROBBINS & KEEHN  
530 "B" Street, Suite 1700  
San Diego, California 92101  
Telephone: (619) 232-1700

Attorneys for Defendant/Cross-Complainant

**NO FEE**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF SAN DIEGO

MURAKAMI-WOLF-SWENSON, etc., )  
Plaintiff, )  
v. )  
RDI VIDEO SYSTEMS, INC., a )  
California corporation, and )  
DOES I through XX, inclusive. )  
Defendants. )

Case No. 532481

NOTICE OF MOTION AND MOTION  
TO WITHDRAW AS COUNSEL;  
DECLARATION OF L. SCOTT KEEHN;  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN SUPPORT OF  
MOTION

Date: January 6, 1986  
Time: 1:30 p.m.  
Dept: 35

AND RELATED CROSS-ACTION.

TO RDI VIDEO SYSTEMS, INC.:

PLEASE TAKE NOTICE that on January 6, 1986 at 1:30 p.m., or  
as soon thereafter as the matter may be heard, in Department 35  
of the above court located at 220 West Broadway, San Diego,  
California, the law firm of Robbins & Keehn will request that the  
court make an order permitting them to withdraw as your attorneys  
in the above-entitled case. The request will be made on the  
ground that you have failed and refused to pay their fees and  
expenses, have failed and refused to cooperate with them to  
establish a reasonable schedule for payment of their

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ROBBINS & KEEHN  
ATTORNEYS AT LAW  
530 "B" STREET  
SAN DIEGO, CALIFORNIA 92101  
TELEPHONE (619) 232-1700  
CALENDAR DEPARTMENT

1  
2 fees and expenses, and have failed and refused to consent to  
3 their being relieved as your attorneys in this action.

4 The request will be based on this Notice, the Declaration  
5 of L. Scott Keehn and the Memorandum of Points and Authorities  
6 set forth below, and on such other evidence as may be presented  
7 at the hearing of the request.

8  
9 Dated: 11-11-85

ROBBINS & KEEHN

10  
11 By:

L. Scott Keehn  
12 L. Scott Keehn, Attorneys for  
13 Defendant/Cross-Complainant

14 DECLARATION OF L. SCOTT KEEHN IN SUPPORT OF MOTION

15 I, L. Scott Keehn, declare:

16 1. I am an attorney at law duly licensed to practice  
17 before all courts of the State of California and a partner in the  
18 law firm of Robbins & Keehn, the attorneys of record for RDI  
19 VIDEO SYSTEMS in the above case.

20 2. The firm was retained by RDI VIDEO SYSTEMS in January,  
21 1985, to represent it in the above-referenced action. Since  
22 being retained, the firm has faithfully appeared and represented  
23 the interests of RDI VIDEO SYSTEMS in this litigation. However,  
24 RDI VIDEO SYSTEMS has failed and refused to pay the firm's fees  
25 and expenses and has failed and refused to cooperate with them to  
26 establish a reasonable schedule for payment of their fees and  
27 expenses, despite repeated requests that they do so.

28 3. The firm is moving under Code of Civil Procedure

1  
2 §284(2) for an order permitting it to withdraw as counsel of  
3 record for RDI VIDEO SYSTEMS in this proceeding because RDI VIDEO  
4 SYSTEMS has failed and refused to consent to the firm's  
5 voluntarily withdrawing as its counsel under Code of Civil  
6 Procedure § 284(1). I have requested that it consent to the  
7 firm's withdrawal; however, the officers of the corporation that  
8 I formerly dealt with have indicated to me that they have  
9 resigned and are, therefore, unable to respond to any request.  
10 To date the firm has not received any response to my request nor  
11 has it received a signed Substitution of Attorney from the  
12 corporation.

13 4. RDI VIDEO SYSTEM's current business address is 2104  
14 Las Palmas Drive, Carlsbad, California 92008. I have in the  
15 past regularly corresponded with RDI VIDEO SYSTEMS at that  
16 address.

17 I declare under penalty of perjury under the laws of the  
18 State of California that the foregoing is true and correct.

19  
20 Dated: 11-11-85

L. Scott Keehn  
L. Scott Keehn

21  
22  
23 MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION

24 I.

25 GROUND FOR WITHDRAWAL

26 Rule 2-111(C)(1)(f) of the Rules of Professional Conduct of  
27 the State Bar of California permits an attorney to withdraw from  
28 representation of a client where, among other things, the client

1  
2 "deliberately disregards an agreement or obligation to the member  
3 of the State Bar as to expenses or fees."

4 II.

5 PROCEDURE

6 The procedure governing withdrawal of an attorney is set  
7 forth generally in Code of Civil Procedure § 284(2), which  
8 provides in relevant part:

9 The attorney in an action or special  
10 proceeding may be changed at any time before  
11 or after judgment or final determination, as  
12 follows:

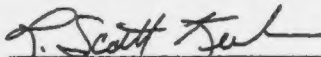
13 2. Upon the order of the court, upon the  
14 application of either client or attorney,  
15 after notice from one to the other.

16 For all of the reasons set forth above, the firm of Robbins  
17 & Keehn requests permission to withdraw as attorneys of record  
18 for RDI VIDEO SYSTEMS in the above-entitled action.

19 Dated: 11-11-85

ROBBINS & KEEHN

20 By:



21 L. Scott Keehn, Attorneys for  
22 Defendant/Cross-Complainant  
23  
24  
25  
26  
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28